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July 17, 2019

Judiciary & Legislation Committee
Attn: Ms. Joanna Polanco, Staff Assistant
Room 205, City Hall
City of Milwaukee

Re: File #190271
Applicant: David R. Storey
Property address: 3845 W. Forest Home Ave.

Dear Ms. Polanco:

This file was last before the Committee on June 10, 2019. At that time, Mr. Storey requested that he be allowed to pay his outstanding real estate taxes as part of his Chapter 13 bankruptcy repayment plan. Typically, a Chapter 13 repayment plan lasts for 5 years. Mr. Storey filed bankruptcy in April 2019, after the foreclosure judgment was taken in February 2019, so the subject property is not part of the bankruptcy estate. So, Mr. Storey is requesting to have the foreclosure judgment vacated, but without having to pay taxes and other costs up front, as is required by MCO § 304-50-10:

If vacation of the city's foreclosure judgment is approved by the common council, then the requester *shall*, within 30 days of the date of the resolution of the common council approving the vacation of the judgment and the return of the subject property to the former owner, pay to the city treasurer by cash or cashier's check, *the city's total costs associated with the property*, which *shall* include: *costs reported to the common council; all costs incurred by the city with respect to the property through the date of vacation of the city's judgment; all city and county taxes, assessments and charges including interest and penalties through the date of the vacation; and all administrative and overhead costs, including but not limited to, administrative and overhead costs incurred by the reporting departments beyond those costs already paid under sub. 3.*



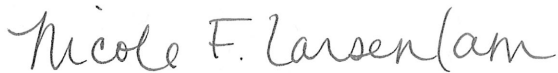
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MCO § 304-50-10 (emphasis added). As such, the repayment plan proposed by the applicant is prohibited by ordinance, since all taxes and other costs are required to be paid within 30 days of the Common Council's approval of the application to vacate.

Mr. Storey has no outstanding municipal court debts.

If you have any questions, please do not hesitate to contact me.

Sincerely,

Handwritten signature of Nicole F. Larsen in cursive script.

NICOLE F. LARSEN
Assistant City Attorney

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